

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

ANDREW TYLER VACTOR, : Case No. 3:20-cv-00006
Plaintiff, : District Judge Thomas M. Rose
vs. : Magistrate Judge Sharon L. Ovington
URBANA CITY SCHOOLS, et al., :
Defendants. :
:

ORDER

This matter is before the Court upon Plaintiff's Motion To Review Rule 11 On Fed. Rule 26 Report [and] Motion To Clarify Counsel For Defendants (Doc. #32), Defendants' Response (Doc. #33), and the parties' separately filed Rule 26(f) Reports (Doc. #s 26, 37). Plaintiff points out that Defendants' Rule 26(f) Report did not contain a signature line for him and was not signed by him. He further notes that there are no handwritten signatures on the Rule 26(f) Report. He argues that these signature problems trigger review of Defendants' Rule 26(f) Report under Rule 11. He also contends that counsel acted in bad faith by waiting until the last minute to schedule the Rule 26 meeting.

As an initial matter, electronic signatures, rather than handwritten signatures, are permitted under S.D. Ohio Civ. R. 83.5(c). More significantly, the absence from the Rule 26(f) Report of Plaintiff's signature and a signature line for him arose due to a scheduling conflict and the need for Defendants to comply with the deadline to file a Rule 26(f)

Report by March 13, 2020. There is no indication in the documents Plaintiff has submitted that Defendants' counsel acted in bad faith in attempting to schedule the parties Rule 26 meeting. Additionally, the Rule 26(f) Report does not address the merits of any claims or defenses at issue in the case. And Plaintiff has filed his own Rule 26(f) Report. In these circumstances, Rule 11 is not implicated, and Plaintiff has suffered no prejudice to his ability to advance his own proposed case-management dates. *See* Doc. #37.

Plaintiff lastly asks for clarification because he is confused about whether Defendant Karen Adinolfi is appearing pro se. Although Defendant Adinolfi was proceeding pro se at the time Defendants filed their Rule 26(f) Report, see Doc. #26, *PageID* #23, attorney Paul L. Jackson now represents her.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's Motion To Review Rule 11 On Fed. Rule 26 Report (Doc. #32) is DENIED; and
2. Plaintiff's Motion To Clarify Counsel For Defendants (Doc. #32) is GRANTED.

April 13, 2020

s/Sharon L. Ovington
Sharon L. Ovington
United States Magistrate Judge